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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RICHARD GREGORY, On Behalf of Himself
and All Others Similarly Situated,

Plaintiff,

v.

CHIRON CORPORATION, HOWARD H.
PIEN, JOHN A. LAMBERT, and DAVID V.
SMITH,

Defendants.

Case No. C-04-4293-VRW

STIPULATION AND ~~PROPOSED~~
ORDER VACATING DATES SET IN
COURT'S CASE MANAGEMENT
CONFERENCE ORDER

Date: N/A

Time: N/A

Judge: Chief Judge Vaughn R. Walker

1 WHEREAS, on March 23, 2005, this Court entered a Case Management Conference Order
2 in this action, scheduling various conferences and hearings, setting various deadlines, including
3 discovery cut-off, and setting the trial date. The dates and deadlines in the Case Management
4 Conference Order were dependent upon settlement of the pleadings, which, at the time the Case
5 Management Conference Order was entered, had not been settled.

6 WHEREAS, on April 14, 2005, Lead Plaintiff filed its Consolidated Amended Complaint
7 pursuant to the Case Management Conference Order;

8 WHEREAS, defendants filed motions to dismiss the Consolidated Amended Complaint; the
9 Court held a hearing on defendants' motions to dismiss and ordered further briefing on the issues;
10 the parties completed the supplemental briefing on August 19, 2005; and the motions have been
11 taken under submission and are currently pending before the Court;

12 WHEREAS, because defendants' motions to dismiss are still pending and the pleadings
13 therefore have not been settled, the parties agree that they are unable to comply with the various
14 dates and deadlines in the Case Management Conference Order;

15 WHEREAS, the parties have therefore agreed to request that the Court vacate the dates and
16 deadlines set forth in the Case Management Conference Order and to re-set all such dates
17 following the settlement of the pleadings;

18 NOW, THEREFORE, the parties stipulate and agree, and the Court hereby orders, as
19 follows:

20 The dates and deadlines set forth in the Court's March 23, 2005 Case Management
21 Conference Order are hereby vacated. The Court will re-set such dates and deadlines following
22 settlement of the pleadings.

23 ///

24 ///

25 ///

1 IT IS SO STIPULATED.

2
3 DATED: March 30, 2006

MILBERG WEISS BERSHAD
& SCHULMAN LLP
JEFF S. WESTERMAN

4
5
6 /s/ Jeff Westerman
7 JEFF WESTERMAN

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20 Lead Counsel for the Class

21 DATED: March 30, 2006

22 SKADDEN ARPS SLATE MEAGHER
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24 JAMES E. LYONS
25 AMY S. PARK

26 /s/ James E. Lyons
27 JAMES E. LYONS

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Attorneys for Defendants

ORDER

Having read and considered the parties' Stipulation and [Proposed] Order Vacating Dates,
IT IS SO ORDERED.

DATED: April 10, 2006



DECLARATION OF SERVICE BY MAIL

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a resident of the County of Los Angeles, over the age of 18 years, and not a party to or interest in the within action; that declarant's business address is 4 Embarcadero Center, Suite 3800, San Francisco, California 94111.

2. That on March 30, 2006, declarant served STIPULATION AND [PROPOSED] ORDER VACATING DATES by depositing a true copy thereof in a United States mailbox at San Francisco, California in a sealed envelope with postage thereon fully prepaid and addressed to the parties listed on the attached Service List.

3. That there is a regular communication by mail between the place of mailing and the places so addressed.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 30th day of March, 2006, at San Francisco, California.

/s/ Wayne Campbell
WAYNE CAMPBELL

SERVICE LIST

Lead Counsel for the Class

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